IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE NINTH DAY OF DECEMBER TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI JUSTICE P.S. NARAYANA

W.P.No.8394 of 1997

Between:

Fazul-ul-Rahman s/o.Shaik Mahaboob,

Contractor, R/o. Pedana,

Krishna District. .. Petitioner

AND

1. Municipal Council,

   represented by its Chairperson

   Pedana, Krishna District.

2. Municipal Commissioner, Pedana

   Municipality, Krishna District.

3. Smt.B.Seshamamba, Chairperson.

   Pedana Municipality,

   Pedana, Krishna District.

.. Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court

may be pleased to issue a writ, direction or order more particularly one in the nature of writ of mandamus declaring that the petitioners are entitled to collect the market fee for the year 1997-98 in the fruit, flower and vegetable market and slaughter house of Pedana Municipality at the enhanced rates accepted by the petitioner and further that the action of the 3rd respondent Chair-person in manipulating the records about Council Proceedings as resolution No.14 and 16 dated 4-4-1997 as illegal and void and to pass such other orders.

Counsel for the petitioner : Sri M.V.Durga Prasad

Counsel for the respondent Nos.1 & 2 : Mr.E.Sambasiva Pratap

Counsel for the respondent No.3 : None appeared

The Court made the following :

THE HON'BLE SRI JUSTICE P.S. NARAYANA

W.P.No.8394 of 1997

ORDER:

In the light of the prayer prayed for in the Writ Petition, it is clear that the Writ Petition became infructuous.

Accordingly, the Writ Petition is dismissed. No order as to costs.

_____

P.S.Narayana.,J

Date : 9-12-2004

AM

To:

1. Chairperson, Municipal Council,
   Pedana, Krishna District.
2. Municipal Commissioner, Pedana
   Municipality, Krishna District.
3. 2 C.D. copies